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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/022,998

12/18/2001

Kamel M. Shaheen

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03/29/2006

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EXAMINER

HSU, ALPUS

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 03/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/022,998	SHAHEEN ET AL.	
	Examiner	Art Unit	
	Alpus H. Hsu	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/30/03</u> . | 6) <input type="checkbox"/> Other: ____. |

Art Unit: 2616

1. Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, lines 7-8, it is unclear as to what is meant by reciting “transmitting the SIP message created at step (a) to a proxy call state control function of said network”. A message can only be transmitted to a physical device not a function. It is also unclear as to what the purpose is to transmit the SIP message to a device with proxy call state control function. Line 11, “a said” should be changed to -- said --.

Same rejection also applies to claim 8, lines 7-8 and 11, claim 11, lines 7-8.

In claim 18, line 7, “said first means” lacks antecedent basis.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by RASANEN et al. in Pub. No. US 2004/0028037 A1, hereinafter referred as RASANEN et al..

Referring to claims 1-5, RASANEN discloses a method for making efficient use of air link resources and network capacity in a mobile telecommunication system having at least one network (5, 6, 7, 9 and 12) supporting communications between two user equipments (UEs) (2 and 11 or 2 and 16), said method comprising the steps of: (a) a first one of said two UEs generating a session initialization protocol (SIP) message to a second one said two UEs setting

Art Unit: 2616

forth various media types and requesting which of the media types set forth said second UE can accommodate; (b) said first UE transmitting the SIP message created at step (a) to a proxy call state control function of said network; (c) said network modifying the SIP message from said first UE by deleting from said message any media not supported by said network; and (d) transmitting the modified SIP message to a said second one of said UEs; (e) said second UE determining media types said second UE will accommodate; (f) modifying the message received at step (d) from said first UE by eliminating any media which said second UE will not accommodate and which are not supported by said second UE; (g) said second UE transmitting a session progress message to said network; and (h) said network transmitting the session progress message received at step (g) to said first UE; (i) authorizing network resources using a session requested by the session progress message; (j) said first UE determining media types of the session progress message; (k) said first UE transmitting a final session progress message to the second UE through said network; and (l) said second UE reserving resources responsive to receipt of the final session progress message (see paragraph [0047] to [0050], [0068] to [0078] and [0079]).

Referring to claims 6-7, RASANEN discloses the further steps of: (m) said first UE reserving resources for a session and reporting availability of the resources to the second UE using a success message; and (n) the second UE, responsive to receipt of the message transmitted, transmitting an OK message to the first UE using a different CODEC; (o) said first UE, responsive to the OK message, sending a second success message to the second UE and setting up to receive the different CODEC; and (p) said second UE sending using a new CODEC to the first UE responsive to the acknowledge received at step (o) (see paragraph [0057]).

Referring to claims 8-10, RASANEN discloses a method for making efficient use of air link resources and network capacity in a mobile telecommunication system having a plurality of networks (5, 6, 7, 9, 10 and 12) supporting communications between first and second user equipments (UEs) (2 and 11 or 2 and 16), said method comprising the steps of: (a) said first UE generating a session initialization protocol (SIP) message requesting media types which said second UE can accommodate; (b) said first UE transmitting the SIP message to a proxy call state control function of one of said networks; (c) said one network modifying the SIP message by deleting from the SIP message any media not supported by said one network; and (d) said one network transmitting the modified message to a said second UE through a second one of said networks; (e) said second UE, responsive to receipt of the modified message transmitted at step (d), determining the media types said second UE will accommodate; and (f) said second UE transmitting a session progress message with the determined media types (see paragraph [0047] to [0050], [0068] to [0078] and [0079]).

Referring to claims 11-17, RASANEN discloses a method for making efficient use of air link resources and network capacity mobile telecommunication system having a plurality of networks (5, 6, 7, 9, 10 and 12) supporting communications between first and second user equipments (UEs) (2 and 11 or 2 and 16), said method comprising the steps of: (a) said first UE generating a session initialization protocol (SIP) message requesting media type which said second UE can accommodate; (b) said first UE transmitting the SIP message created at step (a) to a proxy call state control function of one of said networks; (c) said one network modifying the message by deleting from said message any media type not supported by said one network; (d) said one network transmitting the modified message to a second one of said networks; (e) said

Art Unit: 2616

second one of said networks, responsive to receipt of the modified message transmitted at step (d), transmitting the message to said second UE through a third one of said networks; (f) said third network modifying the message received at step (e), by eliminating any media not permitted for said second UE; (g) said second UE determining the media types said second UE will accommodate; (h) said second UE transmitting a session progress message having the determined media types to said third network; and (i) said third network transmitting said session progress message to said first UE through said first and second networks (see paragraph [0047] to [0050], [0068] to [0078] and [0079])..

Referring to claim 18, see the rejection applies to claim 1.

Referring to claims 19 and 20, see the rejections apply to claims 8 and 11, respectively.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Amin et al. and Kauhanen et al. are cited to show the common feature of connections setup between two user equipments in a mobile telecommunications system utilizing SIP message and session progress message for connection parameters negotiation similar to the claimed invention.

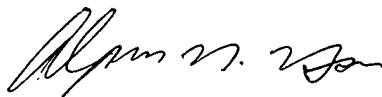
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alpus H. Hsu whose telephone number is (571)272-3146. The examiner can normally be reached on M-F (5:30-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571)272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AHH

A handwritten signature in black ink, appearing to read 'Alpus H. Hsu'.

Alpus H. Hsu
Primary Examiner
Art Unit 2616